

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

FOURTH DIVISION

FILED  
IN CLERKS OFFICE

2006 APR 28 A 11:23

COY PHELPS

PLAINTIFF

-v-

DAVID WINN, et al.

DEFENDANT(S)

CASE: 4:05-CV-40003-GAO  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

MOTION TO TAKE JUDICIAL  
NOTICE

THE ABOVE PLAINTIFF (PHELPS) MOVES THIS COURT TO TAKE JUDICIAL  
NOTICE THAT

1. 18 USC 4243 REQUIRES PHELPS TO BE "HOSPITALIZED" INTO A PROPER  
AND ADEQUATE MENTAL HOSPITAL (US V SIHERMAN, NO 111984, 722 F.S 504)  
WHICH HAS BEEN APPROVED, AND CERTIFIED, BY THE SECRETARY OF THE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES (18 USC 4247(i)) BUT  
NO B.O.P. FACILITY HAS SUCH APPROVAL OR CERTIFICATION
2. THE B.O.P. (FMC-DEVERS) OBTAINED ACCREDITATION FROM THE JOINT  
COMMISSION ON ACCREDITATION OF HEALTH CARE ORGANIZATIONS (JCAHCO)  
BUT RECENTLY LOST THAT ACCREDITATION DUE TO THE ABUSE AND  
MISTREATMENT OF THE MENTALLY ILL, THE NEGLIGENCE CARE OF THE  
PHYSICALLY ILL, AND DUE TO THE COMPLAINTS OF THE GENERAL PUBLIC  
ON IMPROPER CARE AND THE FALSIFICATION OF RECORDS.

DATE SUBMITTED: 4-23-06

Coy Phelps IN PR Se

FMC DEVERS P.O. BOX 879

AYER MASSACHUSETTS 01432

CERTIFICATE OF SERVICE

I COY PERLPS, CERTIFY UNDER PENALTY OF PERJURY PURSUANT TO  
28 USC 1746 THAT I SENT A COPY OF THIS ACTION, PRE-PAID,  
TO

U.S. ATTORNEY, U.S. ATTORNEY'S OFFICE, 1 COURTHOUSE WAY SUITE 2  
BOSTON, MASSACHUSETTS 02210

DATE: 4-23-06

Coy Perlps IN Pro Se  
Coy PERLPS 78PT2-011  
FMC- DEVERS  
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